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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,416	03/20/2001	Dennis W. Hall	42390P11038	2408

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/813,416

Applicant(s)

HALL, DENNIS W.

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fijolek et al (U.S. 6,058,421) and Frailong et al (U.S. 6,073,172).

3. As per claims 1, 10, 13 & 18 Fijolek discloses a method to manage network addresses, comprising: receiving according to a first protocol a first request for a network address from a client at an agent (figure.2, col.7, lines 14-21, col.3, lines 39-67, col.4 lines 1-32), procuring, according to a second protocol unknown to the client (col.2, lines 12-16), said network address from a network address provider; and sending said network address to said client (col.6, lines 64-67, col.7, lines 1-23 & col.9, lines 21-28). However Fijolek did not explicitly disclose the network to be a virtual private network (VPN). In the same field of endeavor Frailong disclosed the network to be a virtual private network (col.16, lines 44-53 & col.16, lines 49-57).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated a Virtual Private network as disclosed by Frailong in a method to manage network addresses as disclosed by Fijolek in order to make the network system more versatile and flexible resulting in making the network environment more scalable.

Art Unit: 2143

4. As per claims 2 & 14 Fijolek-Frailong disclosed the method of claim 1, said procuring comprises: creating a second request for said network address using the second protocol; sending said second request to a network address provider; receiving said network address from said network address provider (Fijolek, col.4, lines 33-49, col.7, lines 14-23); and storing said network address in an address assignment table (Fijolek, col.9, lines 21-30).

5. As per claims 3 & 15 Fijolek-Frailong disclosed the method of claim 2, wherein said creating comprises: assigning a unique identifier to said client', and creating said second request using said unique identifier (Fijolek, col.11, lines 39-44).

6. As per claims 4 & 16 Fijolek-Frailong disclosed the method of claim 1, further comprising managing use of said network address by said client (Fijolek, col.8, lines 65-67, col.9, lines 1-4).

7. As per claims 5 & 17 Fijolek-Frailong disclosed the method of claim 4, wherein said managing comprises: receiving an assignment identifier corresponding to said network address, said assignment identifier indicating a status and time period said client may use said network address', monitoring a time said client has used said network address; comparing said time to said time period; and requesting an extension to said time period in accordance with said comparison (Fijolek, col.9, lines 5-20, col.26, lines 28-40).

Art Unit: 2143

8. As per claim 6 Fijolek-Frailong disclosed the method of claim 1, wherein said network address provider is a dynamic host configuration protocol server (Fijolek, col.4, lines 33-49).

9. As per claim 7 Fijolek-Frailong disclosed the method of claim 1, wherein said network address comprises an Internet Protocol address (Fijolek, col.8, lines 65-67 & col.9, lines1-4).

10. As per claim 8 Fijolek-Frailong disclosed the method of claim 2, wherein said first protocol is a layer two tunneling protocol (Fijolek, col.9, lines 5-20).

11. As per claim 9 Fijolek-Frailong disclosed the method of claim 2, wherein said second protocol is a transport control protocol and internet protocol (Fijolek, col.7, lines 14-23, lines 51-59, col.8, lines 65-67 & col.9, lines1-4).

12. As per claims 11 & 19 Fijolek-Frailong disclosed the method of claim 10, wherein said creating comprises creating said virtual connection using said network address in accordance with a security scheme (Fijolek, col.4, lines 6-32, col.9, lines 21-30).

13. As per claims 12 & 20 Fijolek-Frailong disclosed the method of claim 11, wherein said security scheme is a security scheme in accordance with the DES Specification (Fijolek, col.7, lines 60-65, col.9, lines 5-20).

***Response to Arguments***

14. Applicant's arguments filed 01/23/2006 have been fully considered but they are not persuasive.

15. Applicant argued that Fijolek reference does not disclose procuring a network address by using a second protocol unknown to the client.

16. As to applicants argument Fijolek disclosed the procurement of the address by a client (CPE) to an intermediate device (agent) on a first network which is then forwarded to a second device to retrieve the address and sent back to the client (CPE) (col.3, lines 39-67 & col.4, lines 1-49).

17. The examiner in the spirit of expediting the examination process would like to advice the applicant to incorporate into the independent claims more details regarding the role of "agent" and the "DHCP server" (as described in the specification) in such a way which shows their performance functionality in connection to the address procurement.

***Conclusion***

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2143

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AB

Asghar Bilgrami  
Examiner  
Art Unit 2143



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